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**BZA-1710  
NORANDEX  
Variance**

**STAFF REPORT  
March 16, 2006**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, represented by Mike Marpoe, is requesting a variance to allow 168 sq. ft. of fascia signage instead of the maximum allowed 57.2 sq. ft. for the Norandex operation located on the east side of US 52S, about ½ mile south of CR 350S. The site is located on Lot 9 of 52 South Industrial Subdivision and is commonly known as 4673 Dale Drive, Wea 12 (SE) 22-4.

**AREA ZONING PATTERNS:**

This land and surrounding ground are zoned I3, Industrial.

**AREA LAND USE PATTERNS:**

This site is the first lot to be developed in the 52 South Industrial Subdivision. Farm fields surround the immediate area with a few large industries further to the north. A handful of single-family homes can be found less than ½ mile to the north along Old CR 350S.

**TRAFFIC AND TRANSPORTATION:**

The lot in question has frontage on Dale Drive, a public subdivision street, and ends in a cul-de sac. The subdivision gains access to US 52, a divided primary arterial.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

Lafayette utilities serve the site.

**STAFF COMMENTS:**

Petitioner is requesting a variance to allow 168 sq. ft. of signage instead of the maximum permitted 57.2 sq. ft. Currently, a 24 sq. ft. sign exists on the front of the building, facing Dale Drive. Petitioner would like to reuse an existing 144 sq. ft. sign currently on a company building in Indianapolis. That sign would be erected on the west side of the building directed toward motorists on US 52. The existing and proposed signs exceed total allotted signage for this lot by 110.8 sq. ft. No free-standing sign is proposed.

The sign ordinance of the UZO considers three variables when figuring the amount of signage a lot is allowed: zoning district, building setback and speed limit. In this situation, the setback and speed limit variable is determined from the public street abutting the lot, which is Dale Drive. The higher the speed limit and greater the building

setback, the more signage allowed. Because no free-standing sign is proposed, the lot receives a bonus in signage. The ordinance does not account for major thoroughfares that are near the lot, only those which abut the property. If this lot had frontage on US 52, the overall signage allowed would increase. According to the petition the building is setback too far from the nearest highway and "customers cannot determine who we [business] are with current signage". However, it was petitioner's choice to locate on this newly platted internal lot; therefore, this situation cannot be considered an ordinance-defined hardship because petitioner could have purchased property on US 52. The ordinance states that self-imposed situations cannot be considered an ordinance-defined hardship. Self imposed situations include the purchasing of land with knowledge that, for reasons other than physical attributes, the development standards of the ordinance will inhibit desired improvements.

While having signage directed toward the traveling public is understandable, it is the size of the sign which is at question. If the petitioner considers signage for US 52 of high importance, then the allotment of the total signage permitted should be redistributed or a lot fronting on US 52 should have been purchased. Of the 57.2 sq. ft. allowed, the majority could be used for the US 52 side, and a smaller, more modest sign could be placed on the front of the building facing Dale Drive. Because this building is the first to be built in the subdivision, visibility from US 52 is currently excellent. As other lots are developed, there is no guarantee this building will be as visible. Once the two corner lots have buildings, it is possible that any sign placed on the west side of petitioner's building will be impossible to see by US 52 motorists. Once the subdivision is built out, customers of petitioners business, a wholesaling operation, will locate the subdivision entrance and Dale Drive first, then the building. Generally wholesaling operations do not rely on drive-by traffic for business like most retail uses, but are a destination business. Additionally, the developer of the subdivision has the option of erecting a gateway sign at the entrance identifying the development to help ensure that customers of all businesses within the subdivision can find their destinations.

Regarding the ballot items:

1. At its meeting on March 15, 2006 The Area Plan Commission has determined that the variance requested **IS NOT** a use variance.

And it is staff's opinion that:

2. Granting this variance **WILL NOT** be injurious to the public health, safety, and general welfare of the community because the fascia sign in this request poses no threat to the traveling public.
3. Use and value of the area adjacent to the property included in the variance request **WILL NOT** be affected in a substantially adverse manner because all of the surrounding land will be occupied by industrial users and not residences.
4. The terms of the zoning ordinance are being applied to a situation that **IS** common to other properties in the same zoning district. There is nothing unusual about this

industrial subdivision compared to others around the community. Many industrial parks, such as this one, are located on cul-de-sacs or drives off a main roadway.

5. Strict application of the terms of the zoning ordinance **WILL NOT** result in an unusual or unnecessary hardship as defined in the zoning ordinance because there is nothing unusual about the size, shape or topography of this newly platted lot. The purchaser of an interior lot should have no expectation of visibility from a distant highway. The fact that this business is located in an industrial subdivision makes it easier to find than a business on a stand-alone tract. Additionally, a gateway sign could be placed at the entrance of the subdivision to further direct customers.

**Note:** Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved **IS** solely self-imposed and based on a perceived reduction on economic gain. Self-imposed situations include “the purchase of land with actual or constructive knowledge that, for reasons other than physical characteristics of the property, the development standards of this ordinance will inhibit the desired improvement”. Petitioner is attempting to save money by reusing a sign much larger than the ordinance allows; this is an action directly related to economic gain.

5b. The variance sought **DOES NOT** provide only the minimum relief needed to alleviate the hardship. Minimum relief would be a new sign meeting the requirements of the sign ordinance, not reusing an existing sign.

**STAFF RECOMMENDATION:**

Staff has found discrepancies in the submitted sign drawings regarding sign square footage; the dimensions given for the 144 sq. ft. sign do not appear proportional. If petitioner needs more square footage than what is requested, then this case must be continued and the request will have to be re-advertised. If the square footage is less, petitioner can amend his request.

Denial

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MELESTON  
INDUSTRIAL  
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VAC 00-41

35C S

US



ROAD

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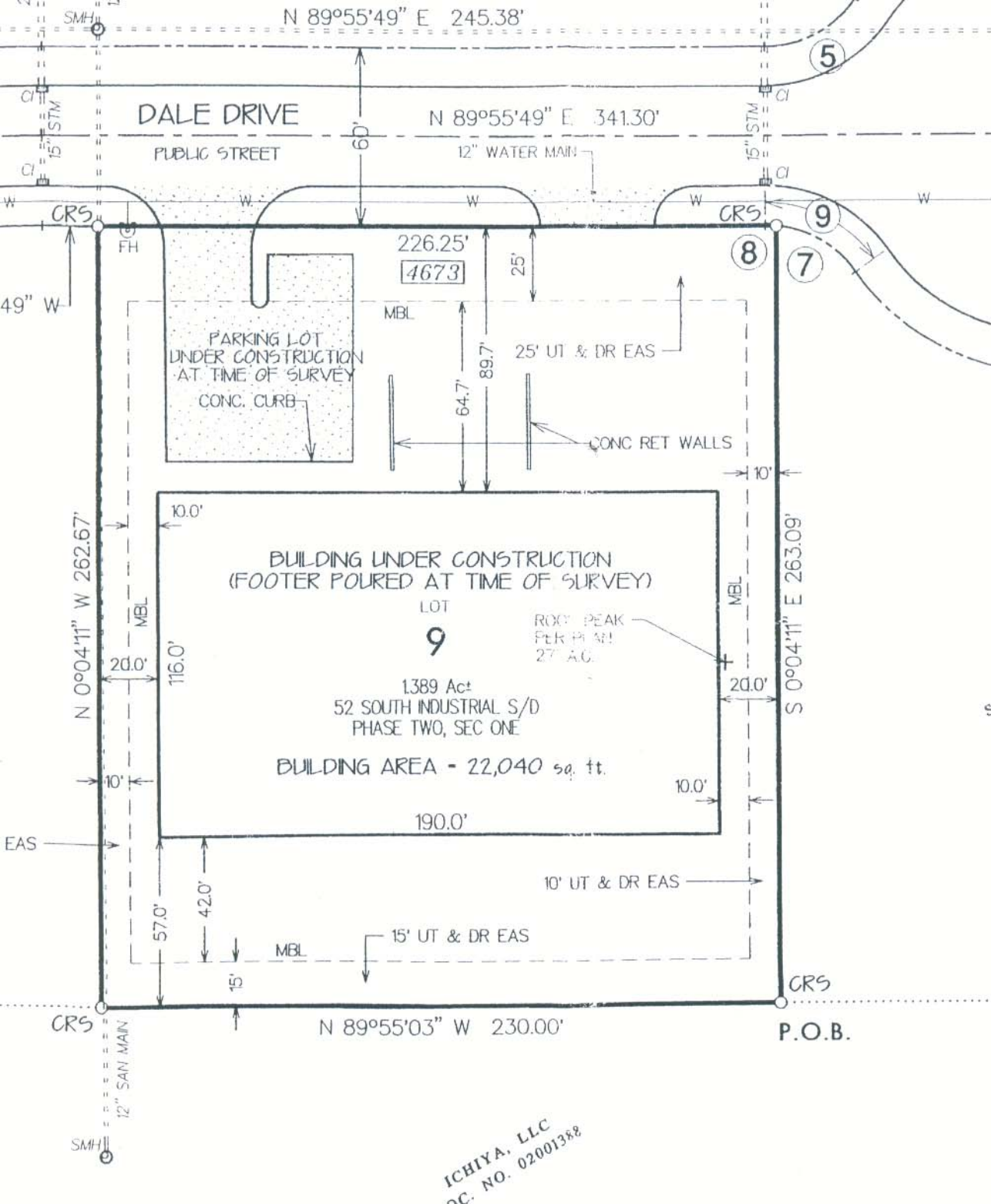
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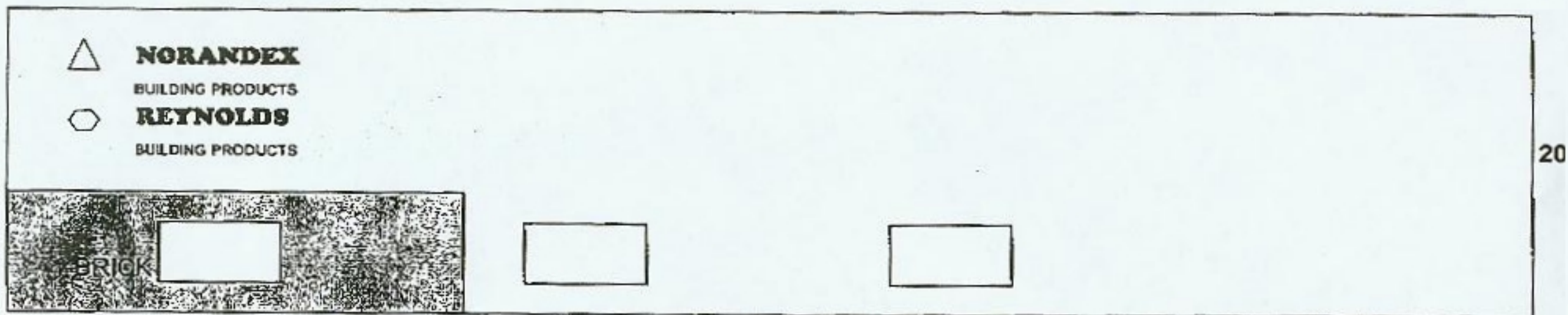
RCAC 400 S

NO

240-450 E

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SIGNAGE 13' X 7'

SIDE VIEW  
4673 DALE DR  
LAFAYETTE

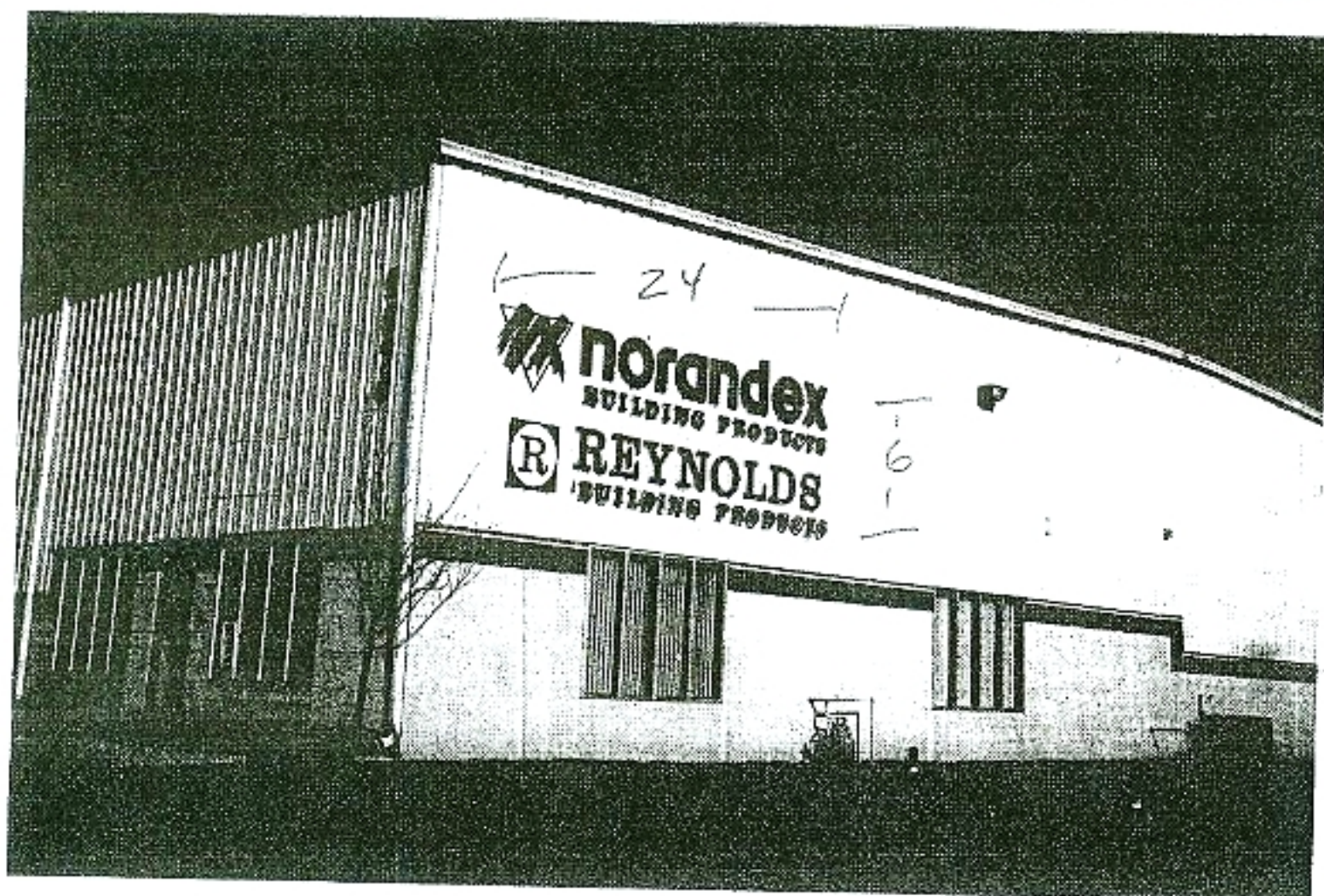
Logo 30" high  
Large letters 20" high  
Small letters 8" high

Scale 1"=100'



 **norandex**  
BUILDING PRODUCTS

 **REYNOLDS**  
BUILDING PRODUCTS



144